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OFFICE OF PETITIONS

In re Application of
Hilal Ezzeddine
Application No. 10/699,100
Filed: October 30, 2003
Attorney Docket No. 2269-5-3

ON PETITION

This is a decision on the petition, filed April 30, 2009, under 37 CFR 1.181, to withdraw the holding of abandonment.

The petition under 37 CFR 1.181 is **GRANTED**.

A Final Office Action was mailed May 17, 2007 which set a three month period for response. No response having been filed, the application became abandoned August 20, 2007. Accordingly, a Notice of Abandonment was mailed November 27, 2007.

Petitioner argues that in response to the Final Office Action, a Request for Continued Examination (RCE), and amendment as the submission under 37 CFR 1.114, was filed November 19, 2007 (November 17, 2007 was a Saturday), with a three month extension of time request, and that therefore the Notice of Abandonment was mailed in error.

A search of the application file and the USPTO records reveals that in fact, an RCE, amendment and extension of time, extending the response date to November 17, 2007, were filed on November 30, 2007 (certificate of mail date November 19, 2007). In view thereof, the response was timely and the Notice of Abandonment mailed November 27, 2007 was mailed in error and is hereby withdrawn. No petition fee is due and none has been charged.

This matter is being referred to Technology Center 2832 for processing the RCE filed November 30, 2007 (certificate of mail date November 19, 2007).

Telephone inquiries concerning this matter may be directed to the undersigned Petitions Attorney at (571) 272-3212.

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